
By: **Delegates Fulton and Goodwin**

Introduced and read first time: January 21, 2004

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Alarm Systems - Registration, Use, and Response**

3 FOR the purpose of increasing the monetary penalty that a law enforcement unit or
4 fire department may assess for a negligent or accidental alarm activation or
5 false alarm; authorizing a county to require that an alarm user register an
6 alarm system; prohibiting a county from charging an alarm system registration
7 fee; authorizing a county to impose a fine or civil penalty if an alarm user fails
8 to register an alarm system; prohibiting a law enforcement unit or fire
9 department from not responding to a signal because an alarm system is
10 unregistered; and generally relating to the registration and use of alarm
11 systems.

12 BY repealing and reenacting, without amendments,
13 Article - Criminal Law
14 Section 9-607
15 Annotated Code of Maryland
16 (2002 Volume and 2003 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - Criminal Law
19 Section 9-609
20 Annotated Code of Maryland
21 (2002 Volume and 2003 Supplement)

22 BY adding to
23 Article - Criminal Law
24 Section 9-612
25 Annotated Code of Maryland
26 (2002 Volume and 2003 Supplement)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
28 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Criminal Law**

2 9-607.

3 (a) In this part the following words have the meanings indicated.

4 (b) "Alarm system" means a burglary alarm system, robbery alarm system, or
5 automatic fire alarm system.6 (c) (1) "Alarm system contractor" means a person who installs, maintains,
7 monitors, alters, or services alarm systems.8 (2) "Alarm system contractor" does not include a person who only
9 manufactures or sells alarm systems.

10 (d) "Alarm user" means:

11 (1) a person in control of an alarm system within, on, or around any
12 building, structure, facility, or site; or

13 (2) the owner or lessee of an alarm system.

14 (e) (1) "False alarm" means a request for immediate assistance from a law
15 enforcement unit or fire department regardless of cause that is not in response to an
16 actual emergency situation or threatened suggested criminal activity.

17 (2) "False alarm" includes:

18 (i) a negligently or accidentally activated signal;

19 (ii) a signal that is activated as the result of faulty, malfunctioning,
20 or improperly installed or maintained equipment; and21 (iii) a signal that is purposely activated in a nonemergency
22 situation.

23 (3) "False alarm" does not include:

24 (i) a signal activated by unusually severe weather conditions or
25 other causes beyond the control of the alarm user or alarm system contractor; or26 (ii) a signal activated within 60 days after a new installation of an
27 alarm system.28 (f) "Law enforcement unit" means the Department of State Police, the police
29 department of a county or municipal corporation, and a sheriff's department or other
30 governmental law enforcement unit having employees authorized to make arrests.31 (g) "Signal" means the activation of an alarm system that requests a response
32 by a law enforcement unit or a fire department.

1 9-609.

2 (a) This section does not apply:

3 (1) to alarm systems activated by weather conditions or causes beyond
4 the control of the alarm user;

5 (2) in Frederick County if the Board of County Commissioners of
6 Frederick County adopts regulations under Article 25, § 211A of the Code providing
7 for the registration of alarm system contractors and alarm users, the issuance of civil
8 citations, and penalties for a violation of a regulation; or

9 (3) in Calvert County if the Board of County Commissioners of Calvert
10 County adopts regulations under Article 25, § 236D of the Code providing for the
11 registration of alarm system contractors and alarm users, the issuance of civil
12 citations, and penalties for a violation of a regulation.

13 (b) An alarm system that is activated more than once within a 12-hour period
14 when a premises with an alarm system is unoccupied and that is not in response to an
15 actual emergency situation or threatened suggested criminal activity constitutes one
16 false alarm if:

17 (1) access to the building is provided to the alarm system contractor; and

18 (2) an alarm system contractor or an employee of an alarm system
19 contractor responds to the activated alarm system.

20 (c) (1) A law enforcement unit or fire department may issue a civil citation
21 to an alarm user for the negligent or accidental activation of an alarm system as a
22 result of faulty, malfunctioning, or improperly installed or maintained equipment or
23 for a false alarm if the number of activations or false alarms to which the law
24 enforcement unit or fire department responds exceeds:

25 (i) three responses within a 30-day period; or

26 (ii) eight responses within a 12-month period.

27 (2) A civil citation issued under this section shall assess a penalty of
28 [\$30] \$40 for each negligent or accidental activation or false alarm.

29 9-612.

30 (A) A COUNTY MAY REQUIRE AN ALARM USER TO REGISTER AN ALARM
31 SYSTEM.

32 (B) IF A COUNTY REQUIRES THAT AN ALARM SYSTEM BE REGISTERED, THE
33 COUNTY MAY NOT CHARGE A REGISTRATION FEE BUT MAY IMPOSE A FINE OR CIVIL
34 PENALTY ON AN ALARM USER IF THE ALARM USER DOES NOT REGISTER AN ALARM
35 SYSTEM WHEN REQUIRED TO DO SO.

1 (C) A LAW ENFORCEMENT UNIT OR FIRE DEPARTMENT MAY NOT FAIL TO
2 RESPOND TO A SIGNAL BECAUSE AN ALARM SYSTEM IS UNREGISTERED.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2004.